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October 8, 2010

Honorable Magistrate Karen M. Williams
 USDC, District of New Jersey
 Mitchell H. Cohen US Court House
 1 John F. Gerry Plaza
 Camden, NJ 08101

via electronic filing

RE: Great American E&S Insurance Company v. S.W. Café, Corp., S.W. Café, LLC.
 And Joseph Cavalieri
 Civil Action No. 1:08-CV-04117 JEI-JS
 Our file: 07049-109 SJP

Dear Judge Williams:

Our office represents plaintiff Great American E&S Insurance Company in the above litigation.

During the most recent management conference held on September 8, 2010, the court indicated a willingness to stay the deadlines set in the amended scheduling order in the event the parties elected to mediate the dispute. The parties subsequently agreed to mediation with the Honorable Joel Rosen. Mediation is scheduled for November 4, 2010.

In addition to the mediation being scheduled, a motion for summary judgment was recently filed by defendant S.W. Café, LLC. A response brief is currently due October 18, 2010.

It is respectfully requested pursuant to the discussion at the last management conference that all deadlines set forth in the September 8, 2010 scheduling order be stayed pending the completion of mediation. This would require that new deadlines be set in the event mediation is unsuccessful.

It is further respectfully requested that all briefing on the pending summary judgment motion be stayed pending the upcoming mediation. Counsel for the moving party, S.W. Café, LLC. is agreeable to staying the summary judgment motion pending mediation. This would prevent the potential that needless expense would be incurred responding to the pending motion, thereby permitting the parties to utilize their resources for purposes of settlement.

October 11, 2010

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For the reasons set forth above, it is respectfully requested that all deadlines in the above matter with respect to the pending summary judgment motion and the amended scheduling order of September 8, 2010 be stayed pending mediation.

Respectfully submitted,

/s/ Steven J. Polansky
STEVEN J. POLANSKY

SJP/dd

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